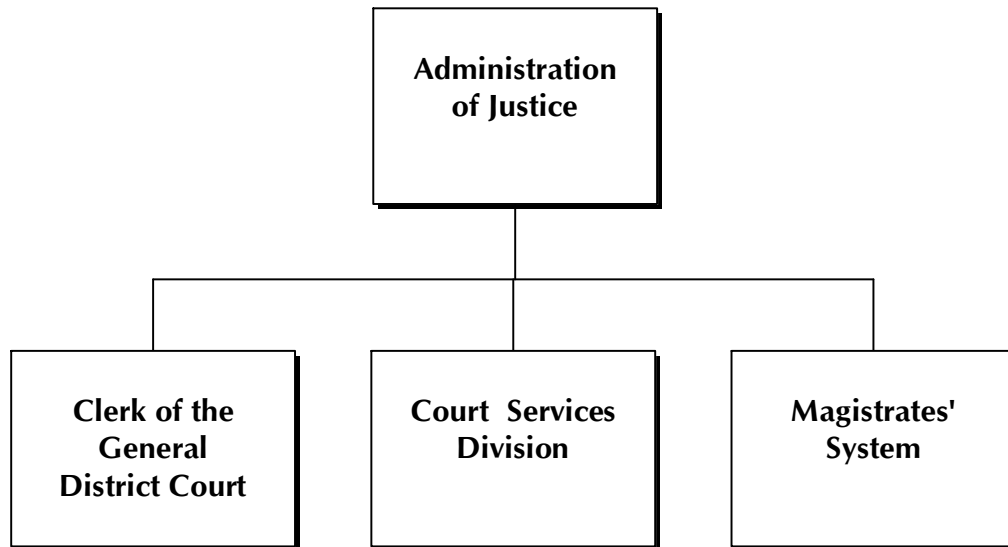


General District Court



Mission

To provide equal access for the fair and timely resolution of court cases. The Court Services Division serves the Courts and the community by providing information, client supervision and a wide range of services in a professional manner while advocating public safety.

Focus

The General District Court (GDC) operates under the administrative guidance of the Office of the Executive Secretary of the Supreme Court of the Commonwealth of Virginia and the Committee on District Courts. It administers justice in the matters before the Court. The Court's operations include three divisions—Civil/Small Claims, Criminal and Traffic Court, as well as the Magistrate's Office and Court Services.

The General District Court is part of the judicial branch of the state government and its clerical office staff is almost entirely state funded. The Court Services Division (CSD), however, is primarily County funded (see position summary chart). The CSD conducts interviews and provides investigation information on incarcerated defendants to assist judges and magistrates with release decisions, provides pretrial community supervision to defendants awaiting trial, provides probation services to convicted misdemeanants and convicted non-violent felons (Class 5 and Class 6) and manages court-appointed counsel and interpretation services. CSD also provides some services to the Circuit and Juvenile and Domestic Relations District Courts.

Budget cuts and financial constraints by the County and the state grant impact staffing and the quality of service that the agency can provide. New caseload and legislative changes also have a major impact on how the Court operates. Since both of these factors are outside the Court's control, it is often difficult to anticipate trends and future needs.

Civil caseloads tend to increase during periods of recession. As the economy worsens, people default on payments, leading to a greater number of civil lawsuits being filed. During CY 2002, civil cases increased by nearly 10 percent, from 43,367 to 47,592 new cases, and Small Claims Court saw an increase of 15 percent, from 1,436 to 1,651 new cases.

THINKING STRATEGICALLY

Strategic challenges for the Department include:

- o Improving the efficiency and effectiveness of daily court operations;
- o Increasing community awareness and participation in the Volunteer Intern Unit; and
- o Improving methods to increase compliance with conditions of supervised release.

General District Court

Traffic caseload statistics decreased from 198,449 to 181,451 new cases during CY 2002 despite increases to the local population and roadway congestion. This decrease may be due to more county and state police officers being assigned to homeland security and other types of safety measures such as the sniper incidents, thus diverting them from local traffic enforcement. If so, it seems likely that this trend will continue.

Type of Case	CY 2000 Actual	CY 2001 Actual	CY 2002 Actual	CY 2003 Estimate	CY 2004 Estimate
Criminal	24,535	29,685	25,881	25,881	25,881
Traffic	211,909	198,449	181,451	188,779	198,213
Civil	43,744	43,367	47,592	47,592	47,592
Small Claims	1,537	1,436	1,651	1,762	1,762
TOTAL	281,725	272,937	256,575	264,014	273,448

Recent legislation also impacts how the Courts operate. The Small Claims jurisdictional limit increased from \$1,000 to \$2,000 on July 1, 2002. This resulted in an increase of small claims actions filed. Effective July 1, 2003, wage garnishments to collect on civil judgments are now allowed to run for a period of 180 days (previously, garnishments could only run for 90 days). Civil and small claims filing fees and certain service fees increased in May 2003 and then again on July 1, 2003. This may result in fewer cases being filed in the future, especially in small claims.

Court Services has identified three key drivers that impact future initiatives and guide the division's goals and objectives. All are carefully aligned with the mission of the Court: to provide access and fair resolution of court cases while maintaining a safe community.


Staffing and Resources. The operation of CSD depends on funding received from Fairfax County and state grants. Because of local and state budget cuts, it is an increasingly difficult challenge to provide the services mandated by legislation and to maintain quality service. The state grant funding for CSD has remained flat for the past four years. Initially, this depleted funds for operational expenses but has now progressed to the point where a grant merit position had to be reduced to a part-time limited term position in order to cover the rising costs of maintaining existing personnel. The divisions of the General District Court are totally staffed with state funded personnel. Due to the State's inability to fund merit increases for the past 10 years or even cost-of-living adjustments since 2000, staff turnover continues at a high rate. This trend is expected to continue. In an attempt to respond to this trend, one approach has been the more effective use of technology. Currently Court Services relies on six data systems to collect all the necessary information on clients and their cases. None of these systems interface. This results in considerable delay and hinders productivity that will only partially be resolved in the foreseeable future. Two of the systems that were designed by the County Department of Information and Technology are in the process of being interfaced. We anticipate that this project will be completed by the end of FY 2004.

Caseload. In the past two years, the number of clients referred by the court to CSD programs has significantly increased. In FY 2002, pretrial enrollments went up 25 percent and probation enrollment went up 3 percent. In FY 2003, pretrial enrollments increased by 22 percent and probation enrollment increased by 18 percent. We anticipate continued growth in CSD caseload in FY 2004 and FY 2005.

Diversity. The General District Court serves an increasingly diverse population. Increased resources need to be utilized in the future to translate forms, signage, web site information and automated phone system messaging. Bilingual staff must continue to be hired and retained. Overcoming language, cultural and disability barriers is crucial in providing the Court's customers with quality service. Approximately 30 percent of the SRP clients and 25 percent of the probation clients are Hispanic and speak little or no English. A bilingual probation counselor is required in order to effectively and efficiently manage the caseload. Overcoming language, cultural and disability barriers is crucial in providing our diverse clientele with quality services. The staff will need to operate with a high level of cultural competency to interact with an increasingly diverse population.

General District Court

New Initiatives and Recent Accomplishments in Support of the Fairfax County Vision

 Maintaining Safe and Caring Communities	Recent Success	FY 2005 Initiative	Cost Center
The FY 2003 pretrial referrals into the Supervised Release Program (SRP) increased by 22 percent from 783 to 959 defendants enrolled in the program. The 22 percent increase is in the intense supervision cases requiring the staff to work harder and longer with fewer resources. The staff has managed to meet the clients' needs insuring that 87 percent comply with release conditions prior to trial.	✓		Agencywide
Increase of 33 percent in the amount of restitution paid to victims (FY 2002 - \$114,378 to FY 2003- \$151,892).	✓		Agencywide
In FY 2003, the Pre-trial Release program jail review process saved 2,327 jail days. The program experienced a 48 percent increase in the number of defendants that are released at the initial bail hearing rather than at the arraignment hearing, resulting in a savings in the costs of incarceration and less jail overcrowding.	✓		Agencywide
Increased the number of volunteers recruited and expanded their duties to provide a wider range of services to the Court and other criminal justice agencies while working toward greater retention of volunteers.	✓	✓	Agencywide
Offenders successfully completed 4,956 hours of community service in FY 2003 an increase of 129 percent over 2,168 hours completed in FY 2002. To avoid increased costs to clients by placement agencies, CSD developed new approaches and handled placements in-house while improving their success rate.	✓	✓	Agencywide
Implement the state mandated Pretrial Risk Assessment instrument to improve the assessment of defendants' risk factors.	✓	✓	Agencywide

General District Court

Budget and Staff Resources

Agency Summary					
Category	FY 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan	FY 2005 Adopted Budget Plan
Authorized Positions/Staff Years ¹					
Regular	20/ 20	20/ 20	20/ 20	20/ 20	20/ 20
State	124/ 117	124/ 117	124/ 117	124/ 117	124/ 117
Expenditures:					
Personnel Services	\$894,097	\$906,923	\$906,923	\$941,866	\$910,218
Operating Expenses	679,199	620,313	694,179	630,385	630,385
Capital Equipment	0	0	0	0	0
Total Expenditures	\$1,573,296	\$1,527,236	\$1,601,102	\$1,572,251	\$1,540,603
Income:					
Courthouse Maintenance Fees	\$294,328	\$375,991	\$294,328	\$294,328	\$294,328
General District Court Fines/Interest	98,433	115,386	98,433	98,433	98,433
General District Court Fines	4,658,566	5,093,946	5,093,946	5,195,700	5,195,700
Miscellaneous Revenue	1,509	2,500	1,509	1,509	1,509
Recovered Costs - General District Court	74,400	64,840	77,727	79,282	79,282
State Reimbursement - General District Court	61,420	59,224	59,224	59,224	59,224
Total Income	\$5,188,656	\$5,711,887	\$5,625,167	\$5,728,476	\$5,728,476
Net Cost to the County	(\$3,615,360)	(\$4,184,651)	(\$4,024,065)	(\$4,156,225)	(\$4,187,873)

¹ State positions are totally funded by the State. However, the County provides Capital Equipment and partial funding support for Operating Expenses for these positions.

Position Summary			
<u>ADMINISTRATION OF JUSTICE</u>		<u>CLERK OF THE GENERAL DISTRICT COURT</u>	
1	Chief Judge S		
9	General District Judges S	1	Clerk of the General District Court S
1	Secretary S	1	Chief Deputy Clerk S
1	Administrative Assistant IV	3	Division Supervisors S
		5	Staff Analysts S
		10	Section Supervisors S
1	Chief Magistrate S	1	Management Analyst II
20	Magistrates S	1	Network/Telecommunications Analyst II
11	Magistrates S, PT	61	Deputy Clerks S, 5 PT
<u>TOTAL POSITIONS</u>		S Denotes State Positions	
144 Positions / 137.0 Staff Years		PT Denotes Part-time Positions	
8/8.0 SYE Grant Positions in Fund 102, Federal/State Grant Fund			

FY 2005 Funding Adjustments

The following funding adjustments from the FY 2004 Revised Budget Plan are necessary to support the FY 2005 program:

- ◆ **Employee Compensation** **\$34,943**
An increase of \$34,943 in Personnel Services associated with salary adjustments necessary to support the County's compensation program.

General District Court

Board of Supervisors' Adjustments

The following funding adjustments reflect all changes to the FY 2005 Advertised Budget Plan, as approved by the Board of Supervisors on April 26, 2004:

- ◆ **Position Downgrade** **(\$31,648)**
A reduction of \$31,648 in regular salaries results from downgrading a Business Analyst III to a Management Analyst II to more accurately reflect the duties and responsibilities of this position.

Changes to FY 2004 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2004 Revised Budget Plan since passage of the FY 2004 Adopted Budget Plan. Included are all adjustments made as part of the FY 2003 Carryover Review and all other approved changes through December 31, 2003:

- ◆ **Carryover Adjustments** **\$8,866**
Encumbered carryover of \$4,341 in Operating Expenses. In addition, unencumbered carryover of \$4,525 in Operating Expenses required to complete systems furniture reconfigurations.

The following funding adjustments reflect all approved changes to the FY 2004 Revised Budget Plan from January 1, 2004 through April 19, 2004. Included are all adjustments made as part of the FY 2004 Third Quarter Review:

- ◆ **Court-Appointed Attorneys** **\$65,000**
Funding of \$65,000 is required for higher than anticipated costs for court-appointed attorneys due to an increase in the number of defendants qualifying for legal representation in court.

Key Performance Measures

Goal

The goal for the Court Services Division is to serve the Courts and the community by providing information, client supervision, and a wide range of services in a professional manner while advocating public safety.

Objectives

- ◆ To increase by 2 percent from 5,778 to 5,894 the number of investigations provided on eligible defendants awaiting trial in the Adult Detention Center (ADC) to judicial officers to make informed decisions about release of defendants.
- ◆ To provide defendants with needed services at the initial contact, thus reducing the need to take jail review action to 5 percent or less of the GDC cases awaiting trial in the Adult Detention Center after arraignment to ensure that cases progress timely through the judicial system.
- ◆ To increase the annual enrollment of defendants in Supervised Release Program (SRP) by 2 percent from 987 cases referred annually to 1,008 cases, an objective established with the Virginia Department of Criminal Justice Services (DCJS) to reduce jail overcrowding.
- ◆ To increase annual enrollment of probation referrals by 3 percent from 765 cases to 787 cases annually, an objective established with the Virginia Department of Criminal Justice Services (DCJS) to reduce jail overcrowding.

General District Court

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate/Actual	FY 2004	FY 2005
Output:					
Pretrial interviews/investigations conducted	4,788	5,526	5,636 / 5,721	5,778	5,894
Pretrial cases processed in jail review	2,744	2,420	2,901 / 2,531	2,556	2,582
Supervised Released Program (SRP) annual new enrollment	626	783	845 / 959	987	1,008
Probation program annual new enrollment	613	631	663 / 742	765	787
Efficiency:					
Investigations per evaluator per shift	8	8	8 / 7	8	8
Jail cases processed daily per staff member	11	10	12 / 10	10	10
Daily SRP caseload per Probation Counselor	27	26	32 / 38	38	39
Daily probation caseload per Probation Counselor	60	59	62 / 59	59	59
Service Quality:					
Percent of evaluator staff recommendations accepted by judicial officers	98%	94%	97% / 94%	92%	92%
Percent of eligible defendants released through the jail review process	6%	8%	5% / 3%	3%	3%
Percent of SRP referrals that successfully complete the program	81%	78%	80% / 87%	83%	83%
Percent of probation cases successfully closed	72%	75%	75% / 74%	72%	72%
Outcome:					
Percent of investigations presented at arraignment	98%	91%	90% / 75%	75%	75%
Percentage of pretrial investigations resulting in the defendants' release	NA	NA	NA	NA	7%
Percentage of cases jail review action was taken	NA	NA	NA	NA	5%
Percent of expedited releases	4%	1%	3% / 2%	2%	2%
Percent change in pretrial SRP enrollment	(9%)	20%	8% / 22%	10%	2%
Percent change in probation enrollments	6%	3%	5% / 18%	3%	3%

General District Court

Performance Measurement Results

All services provided by the Court Services Division (CSD) address the agency mission to administer justice. CSD provides pretrial and post-trial community supervision and manages the court-appointed attorney system for indigent defendants and interpretation services for the non-English speaking or hearing impaired population and answers questions about the judicial process for the public.

Pretrial investigations provide information about the defendants to the judiciary to assist them in making informed decisions about defendants' release/detention status. The utilization of pretrial investigation information has increased because this information is now being used by the magistrates at the initial bail hearing, resulting in earlier release of qualified defendants.

Jail review is an additional process to ensure incarcerated defendants are expedited through the judicial system. Although this is a very beneficial step, the objective is to provide defendants with the needed services at the initial contact, thus decreasing the number of actions required in the jail review process. In FY 2003, the staff saved 2,327 days of jail time through the jail review process by expediting cases, processing cases for court appointed counsel and securing defendants' release into SRP.

The 18 percent increase in Probation was partially due to the implementation of the driving on suspended license diversion program. This program has not been aggressively promoted because of staff turnovers and vacancies and the significant increase in SRP cases. If resources allow, there is great potential for growth in the driving on a suspended license diversion program; a program that benefits the individual and the community by bringing the defendant into compliance with the law through the payment of previously uncollected court fines.

In FY 2003, there was a significant increase of 22 percent (from 783 to 959) in the Supervised Release Program (SRP) and growth of 18 percent (from 631 to 742) in the Community Probation Program. The increase in SRP is attributed to the magistrates placing defendants into SRP at the initial bail hearing. An increase in SRP cases has greater impact on the Probation Counselors' workload because SRP cases require more intense supervision and more reporting requirements than probation cases. Presently, approximately 38 percent of each probation counselor's caseload is SRP clients.

The success rate for clients referred to the SRP and probation programs has remained high due to the hard work of the Court Services staff. In FY 2003, 87 percent of the SRP defendants successfully completed the program and 74 percent of the probationers successfully completed. Due to budget cuts on the local and state level, it is becoming more of a challenge to find affordable education and treatment resources that don't have lengthy waiting lists for services. The legislation requires, and the state previously provided, some funding for defendants/offenders to receive substance abuse screening, assessment and treatment. In FY 2003, state grant award funding for substance abuse screening, assessment and treatment was discontinued. Additionally, new regulations by the Department of Criminal Justice Services (DCJS) are requiring more paperwork and additional statistical reports.

The time consuming task of collecting and analyzing data is necessary to measure Court Services' effectiveness in fulfilling its goals and objectives. CSD is accomplishing this task through a continuous recidivist study, statistical reports, aligning performance elements/outcomes to the mission and goals of the agency and continuous executive management meetings to discuss high performance issues.

Both the Supervised Release Program and the Community Probation Program will continue to grow in the future. However, limited staffing, projected budget cuts and loss of available resources may make it impossible to maintain the agency's high quality of service or ensure the preservation of a safe and caring community.